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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

COMMISSIONERS

2011 FEB 18 A 10:12

DOCKETED

FEB 18 2011

GARY PIERCE - Chairman
BOB STUMP
SANDRA D. KENNEDY
PAUL NEWMAN
BRENDA BURNS

AZ CORP COMMISSION
DOCKET CONTROL

DOCKETED BY

IN THE MATTER OF:

DOCKET NO. S-20755A-10-0342

FIVE STAR CAPITAL MARKETS, LLC,
a Nevada limited liability company,

JAMES PICCOLO and MARY ELIZABETH
PICCOLO, husband and wife,

CRAIG COTTRELL, CRD# 4552833, and,
ANDREA COTTRELL, husband and wife,

CHARLEVOIX HOMES, LLC, an Arizona
limited liability company,

and

MICHAEL ROBERTS, an unmarried man,

RESPONDENTS.

PROCEDURAL ORDER
(Vacates Hearing)

BY THE COMMISSION:

On August 17, 2010, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing ("Notice") against Five Star Capital Markets, LLC ("FSCM"), James Piccolo and Mary Elizabeth Piccolo, husband and wife, Craig Cottrell and Andrea Cottrell, husband and wife, Charlevoix Homes, LLC ("Charlevoix") and Michael Roberts, an unmarried man (collectively "Respondents"), in which the Division alleged multiple violations of the Arizona Securities Act ("Act") in connection with the offer and sale of securities in the form of notes and/or investment contracts.

The Respondents were duly served with copies of the Notice.

On August 25, 2010, a request for hearing was filed by Respondents, FSCM, James and Mary Elizabeth Piccolo, and Craig and Andrea Cottrell.

On August 27, 2010, by Procedural Order, a pre-hearing was scheduled on September 30, 2010.

1 On August 30, 2010, a request for hearing was filed by Respondent Michael Roberts.

2 On September 30, 2010, at the pre-hearing conference, the Division and the Piccolo and
3 Cottrell Respondents appeared through counsel. Respondent Roberts appeared on his own behalf.
4 The Respondents were discussing a possible settlement of the proceeding with the Division. In the
5 interim, the Division requested that a hearing be scheduled on the allegations contained in the Notice.

6 On September 30, 2010, by Procedural Order, a hearing was scheduled to commence on
7 January 24, 2011, and other procedural matters addressed.

8 On December 22, 2010, the Division filed a Motion requesting an extension of time for the
9 parties to exchange their documentation from December 23, 2010, to January 13, 2011. The Division
10 indicated that the Respondents are in agreement with its Motion.

11 On January 5, 2011, by Procedural Order, an extension of time to exchange copies of
12 documentation was granted until January 13, 2011.

13 On January 13, 2011, the Division filed a Motion requesting an extension of time for the
14 parties to exchange their documentation from January 13, 2011, to January 20, 2011. The Division
15 indicated that the Respondents were in agreement with its Motion, and were attempting to reach a
16 resolution of the proceeding. Subsequently, by Procedural Order, the parties were granted until
17 January 20, 2011 to exchange their documentation.

18 On January 21, 2011, the Division filed a Motion to Continue the Hearing indicating that the
19 parties had reached a settlement, and that proposed Consent Orders would be submitted for
20 Commission approval at its February 17, 2011 Open Meeting. The Division requested that the
21 proceeding be continued until after the February 17, 2011, Open Meeting in the event that the
22 Commission did not approve the proposed Consent Orders. The Division further requested that the
23 date for the exchange of documentation also be continued. Subsequently, by Procedural Order, the
24 hearing was continued as was the date for the exchange of copies of Exhibits and Witness Lists
25 pending approval of the Consent Orders.

26 On February 17, 2011, the Division filed a Motion to Vacate the hearing. The Division
27 indicated that all issues in the proceeding had been resolved by the Commission's approval of
28

1 Consent Orders with respect to all Respondents at the Commission's Open meeting February 17,
2 2011.

3 Accordingly, the hearing in this case should be vacated.

4 IT IS THEREFORE ORDERED that the hearing scheduled on March 21, 2011, is hereby
5 vacated.

6 DATED this 18TH day of January, 2011.

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MARC E. STERN
ADMINISTRATIVE LAW JUDGE

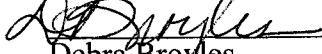
12 Copies of the foregoing mailed/delivered
13 this 18TH day of January, 2011 to:

14 Jeffrey C. Matura
15 GRAIF BARRETT & MATURA, P.C.
16 1850 North Central Avenue, Suite 500
17 Phoenix, AZ 85004
Attorney for Respondents Five Star
Capital Markets, LLC, James Piccolo,
Mary Elizabeth Piccolo, Craig Cottrell,
and Andrea Cottrell

18 Michael Roberts
19 8711 East Pinnacle Peak Road, #213
Scottsdale, AZ 85525

20 Matt Neubert, Director
21 Securities Division
22 ARIZONA CORPORATION COMMISSION
1300 West Washington Street
Phoenix, AZ 85007

23 ARIZONA REPORTING SERVICE, INC.
24 2200 North Central Avenue, Suite 502
Phoenix, AZ 85004

25 By: 
26 Debra Broyles
27 Secretary to Marc E. Stern
28